

Decision No. 23014.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of  
SOUTHERN PACIFIC COMPANY for an order  
authorizing it to sell and convey cer-  
tain land in exchange for certain other  
land, all in the City of Berkeley,  
County of Alameda, State of California,  
and to relocate passenger shelter shed  
at Thousand Oaks Station in said City  
of Berkeley.

Application No. 16963.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 18th day of October, 1930, asking for authority to sell and convey certain lands in the vicinity of Thousand Oaks Station on its electric lines in the City of Berkeley, as hereinafter described, in exchange for certain other lands bounded by Virginia, Second, Cedar and Third Streets in the City of Berkeley, as hereinafter described, and to relocate its passenger shelter shed at Thousand Oaks Station in said City of Berkeley.

Applicant alleges that the land it proposes to sell is located in a residential and business district and cannot be developed for industrial purposes; that its ledger value is the sum of \$11,027.00 and in applicant's opinion has a present market value of \$29,915.00. Applicant further alleges that the present location of its passenger shelter shed is not properly located since the removal of its tracks from Solano Avenue, authorized by the Commission's Decision No. 18142, dated March 30, 1927, in Application No. 13600. Applicant further alleges that the parcel

of land proposed to be conveyed to it has a present market value of \$36,428.00 and is suitable for railroad purposes and for industrial development, and that in its opinion the interests of the public will be best served by the exchange of said property and by the relocation of its said passenger shelter shed.

The City Council of the City of Berkeley and the Solano Avenue Commercial Association have by resolution approved the granting of this application.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore

IT IS HEREBY ORDERED that Southern Pacific Company, a corporation, be and it is hereby authorized to sell and convey certain land in the City of Berkeley, as shown on Exhibit "A" attached to the application and described as follows:

PARCEL No. 1:  
PROPERTY AT SOUTHWEST CORNER OF SOLANO AND FRESNO AVENUES:

Beginning at a point on the westerly line of Fresno Avenue said point of beginning being at the southeast corner of Lot No. 1, Block No. 5, as the same are delineated and so designated upon that certain map entitled "Northbrae, Berkeley, California," filed April 8, 1907, in Liber 22 of Maps, page 65 in the office of the County Recorder of the County of Alameda, State of California; thence along the westerly line of Fresno Avenue and the easterly line of Lot 1, Block 5, North  $9^{\circ}18-1/2'$  west 85.24 feet to a point; thence along the arc of a curve concave to the left, with a radius of 30.0 feet, a distance of 14.6 feet to a point (the long chord of last named curve bears North  $23^{\circ}15-1/4'$  West, 14.46 feet); thence South  $68^{\circ}55-1/2'$  West 45.47 feet to a point on the line between Lots Nos. 1 and 29; thence South  $51^{\circ}28'$  West, 81.93 feet to a point; thence South  $9^{\circ}18-1/2'$  East 50.0 feet to a point on the southerly line of Lot No. 28; thence along the southerly line of Lots Nos. 28, 29, and 1, North  $80^{\circ}41-1/2'$  East 119.50 feet to the point of beginning.

The above described parcel of land comprising portions of Lots Nos. 1, 29 and 28, Block 5, and containing an area of 9,548.13 square feet, plus or minus.

PARCEL NO. 2:PROPERTY AT SOUTHEAST CORNER OF COLUSA AND SOLANO AVENUES:

Beginning at a point on the easterly line of Colusa Avenue and the westerly line of Lot 26, Block No. 5 as same are delineated and so designated upon that certain map entitled "Northbrae, Berkeley, California," filed April 8, 1907, in Liber 22 of Maps, page 65, in the office of the County Recorder of the County of Alameda, State of California; said point of beginning being distant northerly along the easterly line of Colusa Avenue 84.0 feet from the southwest corner of Lot 26; thence North  $75^{\circ}20'$  East 75.0 feet to a point; thence North  $62^{\circ}13'$  East 64.04 feet to a point; thence North  $9^{\circ}18\text{-}1/2'$  West 11.00 feet to a point on the southerly line of Solano Avenue; thence westerly along the southerly line of Solano Avenue South  $86^{\circ}03\text{-}1/4'$  West, 108.55 feet to a point; thence along the arc of a curve concave to the left, with a radius of 25 feet, a distance of 41.61 feet (the long chord of last named curve bears South  $38^{\circ}22\text{-}1/4'$  West 36.97 feet); thence southerly along the easterly line of Colusa Avenue South  $9^{\circ}18\text{-}1/2'$  East, 23.55 feet to the point of beginning. The above described parcel of land comprising portions of Lots Nos. 26, 27 and 28; and containing an area of 4,576.33 square feet, plus or minus.

PARCEL NO. 3:PROPERTY AT SOUTHWEST CORNER OF SOLANO AND COLUSA AVENUES:

Beginning at a point on the westerly line of Colusa Avenue and the easterly line of Lot No. 1, Block 8, as the same are delineated and so designated upon that certain map entitled "Northbrae, Berkeley, California," filed April 8, 1907, in Liber 22 of Maps, page 65, in the office of the County Recorder of the County of Alameda, State of California; said point of beginning being distant 45.0 feet northerly from the southeast corner of said Lot 1, Block 8; thence northerly along the easterly line of Lot 1 and the westerly line of Colusa Avenue North  $9^{\circ}18\text{-}1/2'$  West 31.08 feet to a point; thence along the arc of a curve concave to the left, having a radius of 30 feet, a distance of 44.32 feet to a point (the long chord of last named curve bears North  $51^{\circ}37\text{-}1/2'$  West 40.40 feet); thence South  $86^{\circ}03\text{-}1/4'$  West 111.28 feet to a point; thence South  $68^{\circ}36'$  East 107.00 feet to a point; thence South  $79^{\circ}20'$  East 48.94 feet to the point of beginning. The above described parcel of land comprising portions of Lots 1, 21 and 20 of Block No. 8, and containing an area of 4,362.18 square feet, plus or minus.

PARCEL NO. 4:PROPERTY AT SOUTHEAST CORNER OF MODOC STREET AND SOLANO AVENUE:

Beginning at a point at the southwest corner of Lot 18, Block 8, as the same are delineated and so designated upon that certain map entitled "Northbrae, Berkeley, California," filed April 8, 1907, in Liber 22 of Maps, page 65, in the office of the County Recorder of the County of Alameda, State of California; thence easterly along the southerly lines of Lots 18 and 19, Block 8, North,  $80^{\circ}41\text{-}1/2'$  East 92.0 feet to a point at the southeast corner of Lot 19; thence northerly along the easterly line of Lot 19, North

9018-1/2° West 61.0 feet to a point; thence North 63°39-1/4° West 56.61 feet to a point; thence North 72°38-1/2° West 44.56 feet to a point; thence along the arc of a curve concave to the left having a radius of 25.0 feet a distance of 17.96 feet to a point (the long chord of last named curve bears South 11°16' West, 17.57 feet); thence southerly along the easterly line of Modoc Street and the westerly line of Lot 18, South 9018-1/2° East 97.55 feet to the point of beginning. The above described parcel of land comprising portions of Lots 18 and 19, Block 8, and containing an area of 8,378.25 square feet, plus or minus.

PARCEL NO. 5:  
PROPERTY LOCATED EAST OF THE ALAMEDA:

Beginning at a point on the easterly line of The Alameda, North 9018-1/2° West and distant 273.64 feet from the northerly line of Los Angeles Avenue as said Street and Avenue are shown on the map hereinafter referred to; thence North 80°41-1/2° East 153.33 feet to a point; thence North 18°46-1/4° West 50.69 feet to a point; thence South 80°41-1/2° West 145.00 feet to a point on the easterly line of The Alameda; thence southerly along the easterly line of The Alameda, South 9018-1/2° East 50.00 feet to the point of beginning. The above described parcel of land being all of Lot No. 29, Block No. 1, as said lot and block are delineated and so designated upon that certain map entitled "Berkeley Square, Berkeley, California," filed April 25, 1910, in Liber 25 of Maps, page 54 in the office of County Recorder of Alameda County and containing an area of 7,458.25 square feet, plus or minus.

The above parcels of land are in exchange for certain other land in said City of Berkeley, as shown on Exhibit "B" attached to the application and described as follows:

On the North by Cedar (formerly Holyoke) Street, on the East by Third Street, on the South by Virginia Street and on the West by Second Street.

Being Block lettered "I," as same is delineated and so designated upon that certain map entitled "Map of Tract B of the Berkeley L.T.I. Association, surveyed and subdivided by M. G. King, C. E. Oakland, Alameda County, California, 1875," filed February 4, 1876 in the office of the County Recorder of Alameda County.

Excepting therefrom that portion of the Block described as follows:

Beginning at a point 16 feet Southwesterly along the Southerly line of Cedar Street, formerly Holyoke Street, from the Northeast corner of Block "I," of the Berkeley Land and Town Improvement Association in the Town of Berkeley, County of Alameda, State of California;

and running thence Southwesterly 170.4 feet on a curve to the right of 462.7 feet radius; thence 106.7 feet Southwesterly along the tangent to the curve at this point; thence 176.9 feet Southwesterly on a curve to the left of 492.7 feet radius to a point on the Easterly line of Second Street, 375.1 feet from the Northwest corner of said Block "I"; thence Southeasterly along the Easterly line of Second Street 81.7 feet; thence at right angles Easterly 6.4 feet; thence in a Northerly direction 240 feet on a curve to the right of 462.7 feet radius; thence Northeasterly 106.7 feet on a tangent to the curve at this point; thence Northeasterly 149.7 feet on a curve to the left of 492.7 feet radius to a point 39.9 feet Southerly along the Easterly line of said Block from the Northeast corner of said Block; thence in a Northerly direction along the Easterly line of said Block 39.9 feet to the Northeast corner of said Block; thence Westerly along the Northerly line of said Block 16 feet to the point of beginning.

The same being a strip of land 30 feet in width through said Block "I," of the Berkeley Land and Town Improvement Association.

Containing 34/100 (.34) of an acre.

Said conveyance of lands shall be substantially in accordance with the terms as specified in copies of deeds (Exhibits C and D) attached to the application.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to relocate its passenger shelter shed from a location at the southwest corner of Solano and Colusa Avenues, City of Berkeley, and as shown enclosed in yellow lines on Exhibit "A" attached to the application, to a location on the east side of Colusa Avenue and approximately one hundred (100) feet south of Solano Avenue, in said city, and as shown enclosed in red lines on Exhibit "A" attached to the application.

The authorization herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of October, 1930.

*[Handwritten signatures]*  
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Commissioners.